THE COURTS.

UNITED STATES DISTRICT COURT.

The Champagne Cases—Important Testimony and Interesting Discussion between Counsel—Rulings of the Court.

Before Judge Blatchford.

The United States vs. 3,109 Cases of Champagne.—Henry St. Marceaux claimant. On the opening of the court yesterday Mr. Sidney Webster continued his address to the jury on the part of the claimants, interrupted by the adjournment on Friday. He reviewed at great length the action of the government and the Custom House authorities at the time from which the suits against the claimants date, and the personal interest which influenced the parties in getting them up. He disclaimed any such feelings on the part of the able counsel who prosecuted on the part of the government. The litigation was now before the country, and it was the simple duty of counsel on either side to put forth their best ability in behalf of their clients. Although opposed by the eminent counsel who confronted him, he had no hesitation in saying that he would present a case before the jury, supported by testimony from the other side, that would not fail in willingly drawing from them a verdict on behalf of his client. Mr. Webster having concluded a very able and well digested address, based upon the law and the evidence, he proposed to call his first witness:—

Richard H. Teller, examined by Mr. Webster—Was an Assistant Appraiser in the Custom House in 1862, in connection with Taster; had charge also of the wines and liquors; had been in the government employ for about twenty years, first as examiner and subsequently as appraiser, but was nearly all the time in charge of the wines and liquors; from 1846 to 1863, when he left, the invoices of champagnes and other wines passed through his hands, and was well acquainted with the commerce and trade in champagne wines; knew the house of St. Marceaux & Co., of Rheims, from examining their invoices in the Custom House; knew their agents; was in the habit of estimating and appraising the value of their wine in France, as they imported it to this country, ascertaining the market value of it there for the purpose of assessing the duties on it; ascertained what the duty on the wines was in 1863. Q. State what was the foreign value in 1863 of the different products of wine imported by St. Marceaux.

Mr. Evarts objected, and suggested that the invoice itself, on which the actual appraisement was made, be produced.

Mr. Webster—The witness can state from his recollection.

Mr. Evarts—It is not adequate.

Examination resumed. To Mr. Webster—I remember the price at which I passed wine in 1863—thirty francs for the ordinary.

Mr. Evarts objected.

The Court—The evidence would have no relevancy unless the wines were the same in quality as the wines in question.

Mr. Webster—We propose, your Honor, to prove that the wines imported in 1863 were similar to the wines in this controversy—the wines now under seizure.

The Court—The relevancy with testimony on this point is only in the fact that the witness passed upon those wines on the invoice of St. Marceaux & Co., and that they entered the invoices is enough for the question of intent and good faith. Therefore the question will be overruled until the invoice itself is produced.

Examination resumed—To Mr. Webster—Know the value of the wines that St. Marceaux & Co., sold in 1863 in Rheims.

Mr. Evarts objected on the ground that the witness had not laid a foundation of a knowledge to be considered an expert, or to be cross-examined as an expert on the testimony he had yet advanced or might advance.

Question withdrawn—Witness had ascertained for the purposes of appraising and fixing the dutiable value of these wines of St. Marceaux, the value of said wines by comparing them with other wines and by the market value they brought in this market—the price which they brought here—that is, the wholesale market value here; was making inquiries and investigations as to the relative value of these wines for the purposes of appraisement from 1846 to 1863; made inquiries through merchants, from the agents of the exporting houses and from examining all the various invoices of the different wines passing through the Custom House; knew the market price of champagne wines, like those of St. Marceaux, in Rheims in 1863.

Mr. Evarts objected, and asked the Court to pass upon his objection now or permit him to cross-examine the witness on this ex parte testimony.

The Court—Did not think that a foundation had been laid to examine the witness as an expert as to the market value of the wines abroad from any inquiries he made, or his source of knowledge as to the value of the wines in this market.

Mr. Webster—Your Honor, the witness has answered from a long experience in champagne commerce and investigations as an appraiser, as a taster and examiner of all sorts of wines for the purpose of aiding him to a faithful discharge of his duties as an appraiser for many years in determining the market value of the wine.

The Court—The mere knowledge of the market here is not sufficient.

Mr. Webster—Your Honor, I ask the witness as to his knowledge of the price of these wines in Rheims.

Mr. Evarts—The witness speaks of information gleaned by him here. Granting that it was good so far as it went, the question here arises whether any merchant here can be an expert or give an opinion as to the prices of wines in Rheims.

Mr. Webster contended that the general tendency of the rulings of the Court in these cases was that testimony based on inquiries as to the market value of these wines in Rheims, given, particularly in a case like this, in which the witness has over twenty years' experience, should be admitted.

The Court—The testimony on this point is very remote.

Mr. Webster referred to the cases tried in California, where the judge admitted similar evidence to prove the market value of the property in Rheims.

The Court—That is not the question; when it comes up it will be time enough to dispose of it.

Mr. Webster—The question is to prove an undervaluation either in this port or an undervaluation in a foreign port. Witnesses were called on the part of the government to prove the undervaluation, and, proving this, the burden of proof is thrown on the claimants to explain the circumstances under which it was made. That is the ordinary practice.

The Court—On the whole, I think the evidence is not competent. Exception taken and noted.

Examination resumed—John Webster—Estimated and appraised the foreign value of the wines described in this invoice—three hundred cases of champagne, brand of St. Marceaux; the invoice value, that is foreign value, is 30½ francs for quarts of *carte noir*, and 33½ for pints; ascertained the foreign value of the importation, and found it correctly set forth in the invoice; this is an importation per Talisman, September, 1863; the date of entry is 18th of September, 1863; the invoice is signed by St. Marceaux & Co.; recognize the signature. [The witness identified other invoices for different importations of wine of St. Marceaux, of *carte noir*, *carte blanche* and Royal St. Marceaux, all included in the case.]

Q. State the basis upon which you based your appraisements of these wines up to your retirement from office in 1863.

Mr. Evarts objected to the question as too general.

Mr. Webster—Q. What did you do to ascertain the value upon which you based your appraisement of these wines? A. I would have to take up another wine to tell how I got at the valuation. Q. State as briefly as you can, taking the last invoice of wines you tested. I satisfied myself that the price at which they were invoiced was correct, both from the information I received and from the statement of parties passing on the quality of the wines, and from the actual prices of the wines in the market, and from the data I found that the wines in question were correctly invoiced.

The witness was cross-examined by Mr. Evarts—I understood you to say that you got at the foreign market value by taking the home market value here, the home market value of these wines, and working backwards from that to the foreign market value? A. And from the information I received from other parties, from letters and conferences on the market value of those wines at home and abroad, and all these sources of information brought me on calculation to the same results as in the invoice; got my information from dealers in the article; understood very well that the specific wines of these claimants had a foreign market value at which they could be bought in France; found that value to correspond with the invoice; thought so for the reasons stated and that people told me so; the last time I made examination into the question of the value of champagne wines, of their market value, was in 1861, when a general appraisement was made on the relative qualities of wines. Q. And all the invoices that you passed in 1862 and 1863 are passed, as a matter of course, from what you supposed you knew upon the subject, and not from any examination made at the time? A. I made a thorough examination in 1861. Q. And you based your subsequent operations on that? A. Yes, that was an appraisement held by two general appraisers—that appraisement is now in court. Q. And all you did in passing these invoices of champagne dated back to what you did in 1861? A. Yes.

Mr. John F. Hogeboom examined by Mr. Webster—Was a general appraiser at this port; made a reappraisement, in association with Mr. Dorance, of champagne wines in 1864; witness recognized his own signature and that of Mr. Dorance to the reappraisements alluded to.

Mr. Webster offered the reappraisements in evidence as an official paper, and attached to the invoices produced in evidence on the part of the government.

Mr. Evarts objected.

Mr. Webster contended that the testimony of appraisers had been admitted in many cases in this court.

Mr. Evarts said it was only received to enable the court to determine what security should be deposited with the government instead of the goods themselves, and as an appraisement of the home value to be substituted for the goods. The introduction of such testimony on the point at issue would only mislead Court, jury and counsel.

Mr. Webster—The testimony of appraisers has been frequently admitted in this court in proof of reappraisements, and I offer this now as evidence of the market value of these wines, estimated by the appraiser appointed by the Court and sworn to determine the value of these wines in this and the foreign market, less the duties here.

Mr. Evarts—That is independent documentary testimony you offer. We will see whenever it is offered in the form of an oath. I should object to the valuation here set forth of these particular wines at a particular time, because the inquiry is only as to the market value of the wine in a marketable condition.

Mr. Webster—The question is as to the value of the wine in bond, less the duty paid.

The Court don't think it is competent to show the value of the wine here; and as an appraisement I don't think it stands on the same footing as a Custom House appraisement of other wines made for the purpose of revenue. This appraisement was made for another—totally different—purpose, and I do not think it is competent to present it on these grounds.

Mr. Webster—Your Honor, I do not offer it as evidence of itself, but as a reappraisement—evidence of a public writing taken from the records of this court, as evidence to show the market value of the wine in the foreign market, and also as to the question of intent with which the invoice was made up. Overruled. Exception taken.

The Court then adjourned till this morning at half past ten, at which time Judge Blatchford said counsel should have their witnesses promptly in attendance.

Motion to Bond a Distillery Under Seizure by the United States Marshal.

An application was made yesterday morning in court, by Mr. Henry J. David, for an order to allow to bond certain goods, a distillery and paraphernalia, in Hamilton street, seized by the United States in June last. Mr. David made the application in pursuance and by virtue of affidavits made on the premises, and as the pressure of business on the court was such that a hearing cannot be obtained within the time when a long vacation would ensue, he hoped the Court would exercise its discretion in favor of the claimant, Thomas Doranee, and as, besides, the goods were of a perishable nature, therefore he asked to be allowed to bond.

Mr. Courtney, United States District Attorney, opposed the application.

The Court—None of the property claimed here is very perishable.

Mr. David—Your Honor, three months make a great difference in the value of these stills, mash tubs, &c., seized; besides the rent has to be paid.

Mr. Courtney—Your Honor will perceive at the outset that the affidavit is radically defective. It does not set forth the value of the still.

Mr. David—The whole value of the property seized is set forth.

Mr. Courtney—That is not the still; and the affidavit must show the value of the still itself—that it is worth $1,000. There is no evidence before the court to show what property is worth $2,500 and how much the still is worth.

The Court to District Attorney—Mr. Courtney, you contend that by the statute the still itself must be worth $1,000, and so stated in the affidavit.

Mr. Courtney—Yes, sir; there is only here the affidavit of a storekeeper, who swears that all the allegations in the libel are false. A rather strong statement to make on oath, when nine-tenths of the allegations cannot possibly be within his knowledge.

Mr. David again pressed his motion, when the Court took the papers and reserved its decision.

BANKRUPT COURT.

The petition of David Heydenheimer was yesterday filed in the office of Chief Clerk Wilmarth by his counsel, Mr. Edwin James, who also obtained a stay of proceedings against the petitioner in the State courts.

SUPREME COURT—SPECIAL TERM.

Extensive Operations in Real Estate.

Before Judge Daniels.

James S. Libby vs. E. H. Rosekrans, Albert M. Cheney, the Adirondack Estate and Railroad Company, and John A. Dix and John H. White, Receivers of the Adirondack Company.—This case came before this court yesterday on a demurrer interposed by the defendants E. H. Rosekrans and John H. White, Receiver. The complaint alleges that, prior to 1860, the Adirondack Estate and Railroad Company was organized and succeeded to the franchises and rights of the Hudson River and Lake Ontario Railroad Company; the latter company having acquired by purchase 500,000 acres of land situated in the great wilderness of Northern New York, and having constructed thirty miles of railroad bed, at an outlay of $2,000,000; that, after the organization of the Adirondack Estate and Railroad Company, the defendants Rosekrans and Cheney, by contract, sold to the last named company over one hundred thousand acres of other land, adjoining the land of the projected road, for which the last named company agreed to pay them, in four quarterly instalments, $300,000 and upwards; that the contract bore date October 8, 1860; that the company, after having paid $500 upon each of said contracts, omitted to pay the instalments which had become due up to the 1st day of January, 1862, amounting to $229,000, including the interest upon the whole sum; that thereupon two several actions, in the nature of bills in equity for specific performance, were commenced by Rosekrans and Cheney in the Fourth Judicial district of this State against the Adirondack Estate and Railroad Company, in which action the company appeared by its attorney, and Rosekrans and Cheney, upon application to the Supreme Court in that district, succeeded in striking out the answers of the company; the company claimed that the contracts were made with their authority by one Edwards, their engineer, and thereupon recovered two several judgments for the amount which had become due up to the 1st of January, 1862, with the direction of the Court that the company pay the two other instalments to become due by such contracts on January 1, 1863, and January 1, 1864. Executions were immediately issued upon the judgments and were returned *nulla bona*, and thereupon an application was made in that district for the appointment of a receiver of the property of the company, and one Edson Sheldon was appointed receiver upon the judgment obtained by Cheney. Shortly afterwards, upon a judgment obtained by one Chadwick, in Oneida county, a similar application was made before a Judge of the Supreme Court in the Fifth Judicial district, wherein Alexander Seward was appointed receiver. The complaint further alleges that both of said receivers qualified and entered upon their duties, and that Seward afterwards resigned and the court appointed Andrew Dexter in his stead; that an application was made about that time in the Fourth district to one of the Judges of the Supreme Court for instructions as to the sale of the property of the Adirondack Estate and Railroad Company, and the plaintiff alleges that the petition for such instructions being in the case of Cheney against the company, was prepared by Rosekrans, and the order thereon drafted by him, said Rosekrans being meantime one of the Justices of the Supreme Court, and being prohibited by law from acting as counsel in any case, excepting his own, in his own court; that the order giving instructions to the receiver authorized him to sell the property of the Adirondack Estate and Railroad Company, to satisfy the sum of $368,000, whereas it was urged that at the time of granting such order the sum of $229,000, or thereabouts, only was due upon both judgments of Rosekrans and Cheney, which they had obtained, the order directing that the receiver might apply any bid which Cheney might make upon the sale at public auction of the land and property of the company, upon the two judgments above mentioned. It is furthermore charged that the appointment of such receiver was accomplished by collusion between Cheney and Rosekrans upon one side; that one Johnson and others, acting as the agents of the company, conspired together, and that Edson Sheldon, the receiver, was under the direction and control of Rosekrans and Cheney; that under that order the property of the company, without the knowledge of the stockholders, was advertised for sale at No. 111 Broadway, in this city, the said Rosekrans and Cheney being present; that the interests of the company, under the contracts, and against which a judgment of $400,000 and upwards, then due and to become due, and which judgment had been obtained by Cheney and Rosekrans, was first put under the hammer and bid in by Cheney at the sum of $400; that the five hundred thousand acres of land, and the railroad bed, which had cost $2,000,000, was next offered for sale, and bid off by Cheney, of the sum of $370,000, upon which Rosekrans and Cheney gave their receipts to the receiver, the other receiver, Dexter, uniting in the same, and thus extinguishing the judgments of Rosekrans and Cheney. It is alleged that this report of the receiver, afterwards made to the Supreme Court of the Fourth Judicial district, was confirmed, and that Cheney thereby acquired the title to the large property so sold. The plaintiff further claims and alleges that, after Cheney had in this manner acquired title to convey the half interest to Rosekrans, and soon after this purchase, a new company was organized, known as the Adirondack Company, which is now in existence, and that to this company Cheney and Rosekrans sold the whole property upon an agreement that for their own lands, which they had bid in at $100, they should receive $400,000; that upon this agreement they received $100,000 cash, and $300,000 secured by mortgage on the same lands; and for the 500,000 acres of land, including the Hudson River and Lake Ontario Railroad bed, they were to receive $400,000 in mortgage bonds upon that portion of the property, and $100,000 worth of the stock of the company. The complaint then goes on to allege that difficulties have recently arisen between the Adirondack Company and Rosekrans and Cheney, out of which receivers hostile to each other have been appointed, viz:—John A. Dix for parties in New York, and John H. White, of Saratoga, representing the Rosekrans and Cheney interests; that the Adirondack Company still holds the greater part of the bonds and stock set apart to Rosekrans and Cheney, they not yet having been delivered.

The plaintiff brings this action on behalf of himself, claiming to be a stockholder in the sum of $51,000, and in behalf of all others similarly situated who choose to contribute to the prosecution of the action, and insists that while he cannot set aside the sale made by Rosekrans and Cheney to the present company, he and his associates should be entitled to have the profits and advantages acquired by Rosekrans and Cheney in the sale to the company beyond the amount of the Rosekrans and Cheney judgments, alleging that the order of instructions to the receiver, requiring him to make $368,000 out of the property of the old company, which would be over $100,000 in excess of what was due at the time of the sale, was oppressive and void, and was obtained by undue influence on the part of Rosekrans; and furthermore, that the sale as conducted, being collusive, Rosekrans on that account should not be allowed to reap the advantage which he now holds as against the plaintiff and other stockholders, and that plaintiff and other stockholders should be subrogated to his rights.

The Court took the papers and reserved its decision.

For the plaintiff, E. W. Dodge and James T. Brady; for the defendant, Mr. Mott.

SUPREME COURT—CIRCUIT—PART I.

Action to Annul the Charter and Franchises of a Railroad Company—Verdict for the Defendant.

Before Judge Peckham.

The People of the State of New York vs. The East New York and Jamaica Railroad Company.—This action is instituted by the State for the reversal and forfeiture of the charter of the defendant on the ground of usurpation and non-compliance with the terms of that charter. On behalf of the plaintiff it is claimed that the company was granted its franchises in 1863, under the act known as the Turnpike Act, by the provisions of which the persons entrusted with the supervision and control of the road were vested with the powers only of commissioners, and could not resolve themselves into a regular corporation until two-thirds of the stock should be subscribed and ten per cent of the amount paid in. The capital stock was not to exceed the sum of $300,000, and when two-thirds of that amount had been expended they were authorized to issue bonds for $100,000. In 1864 a single section of the act was amended, providing that when $100,000 had been expended they could issue bonds for the remaining $200,000 of the capital stock. It is charged that the company is now proceeding to act as a corporation without ever having been organized as such, and have elected as President Mr. Guerin, Mr. DeGrauw, secretary, and Mr. Armstrong, treasurer. On the 14th of June, 1865, a meeting was held of a number of persons who professed to be corporators of this company, at which arrangements were made for the issue of stock; the name of the company was designated as the East New York and Jamaica Railroad Company; trustees were appointed, and a contract awarded to Kimball & Co. for the construction of two miles of the road for the sum of $90,000, to be paid in the stock of the company. For the State it is contended that the persons named in the act were clothed merely with the powers of Commissioners, and any further assumption of power was a usurpation, and entirely without authority; and it is also claimed that the firm of Kimball & Co. was none other than De Grauw; that the contract awarded to the firm at the price named, viz: $90,000, was excessive, and should not have amounted to over $50,000 for the work to be performed; that in September they actually issued $30,000 worth of bonds and stock before a single dollar had been expended, and that the whole amount of stock, $90,000, for the contract, was issued before the $90,000 had been expended.

The defence submitted evidence of a contradictory and mitigating nature, and the Court, holding that the plaintiff had not made out a case, directed the jury to render a verdict for the defendant, on the ground that the organization had been perfected by the issuing of stock, and at a subsequent meeting of the stockholders they had ratified the previous proceedings. For the State, Mr. Chatfield; for the defendant, Mann & Parsons.

SUPREME COURT—CHAMBERS.

Benjamin F. Butler's New Orleans Litigations.

Before Judge Ingraham.

Alfred Kearney vs. Benjamin F. Butler.—This case, the particulars of which have been already reported in the HERALD, is one of the several suits now pending against this defendant, arising out of the alleged wrongful seizure and conversion of property by him during his administration in New Orleans. On the 19th of January a motion was made for the removal of this, with several other cases, for trial to the United States District Court, and the application was granted. An appeal was subsequently taken to General Term, in the present suit, and the order was reversed. An order to show cause was then granted why the defendant should not have leave to renew the motion for removal, upon which the following decision was yesterday rendered by Mr. Justice Ingraham:—

The application is not one which entitles the defendant to favor. He should be required to strictly pursue the statute, which is intended to divest the State courts of jurisdiction, and if not complied with such application should not be encouraged. Motion denied.

COURT OF GENERAL SESSIONS.

Conclusion of the Trial of Maurice Lanergan for the Alleged Homicide of His Wife—Conviction of Murder in the First Degree.

Before Recorder Hackett.

The trial of Maurice Lanergan, charged with killing his wife, at No. 135½ Washington street, on the 26th of March, which was adjourned over from Friday, was resumed yesterday morning.

It was understood that the summing up would take place; but District Attorney Hall, on the assembling of the Court, requested permission to examine a witness who testified before the Coroner, but whose presence could not be obtained while the trial progressed.

Mr. Spencer earnestly opposed the reopening of the case.

The Recorder decided to allow the examination of George W. Cram, who occupied a room with the witness, Tully, in Lanergan's house. He saw Mrs. Lanergan alive about one o'clock of the day upon which she died; she was not entirely sober; Lanergan was drunk; she looked as if she was bruised, and her face looked as though it had been hurt; her cheeks were swelled up; Cram went home with Lanergan from Mrs. Hickey's because he was so drunk that he did not know whether he was going home; the prisoner staggered first against her and grabbed her; he went to strike her; he said, "Maurice, don't strike her, for God's sake;" she repeated the words, and over he staggered into the rocking chair; the witness told her to go into Tully's room; he then said he must go to his work; she asked him not to go, saying, "Don't go; do you think he will kill me?" he replied, "No—what humbug;" at that time Lanergan was asleep in the chair, and, in the judgment of the witness, was utterly unconscious of everything; he then assisted Lanergan to get into bed, and then he left the house; at Mrs. Hickey's, that afternoon, when at dinner, Lanergan said something in regard to killing her, but he could not remember the words; Lanergan was in a perfect frenzy from drink; at nine o'clock Cram returned to the place, knocked several times, and failing to obtain admittance left, and slept in the Girard House; he did not hear of the occurrence until the following evening.

Cross-examined—When at Hickey's Lanergan shed tears about his wife; the witness Cram was not at Lanergan's room between one and nine o'clock on the day of the occurrence; he did not see nor did he know the boy Sullivan; the passage way on the stairs is very narrow, about four feet; it would be impossible for Tully to have come out of Lanergan's room without the boy Sullivan seeing him.

The summing up of the testimony was then proceeded with by Mr. Spencer on the part of the accused, and by District Attorney Hall for the people, who made one of his happiest efforts. He analyzed the testimony critically, and claimed that it clearly established the fact that Lanergan took the life of his wife. The degree of crime of which he was guilty he (the District Attorney) would leave it to the jury to decide.

The Recorder then delivered an elaborate and very impartial charge, after which the jury retired, at half-past three o'clock, to deliberate upon their verdict.

At half-past six o'clock the jury announced that they had agreed upon a verdict, and when their names were called the foreman stated—"We find him guilty of murder in the first degree."

The prisoner was remanded for sentence.

Counsel will immediately apply for a stay of proceedings.

COURT CALENDAR—THIS DAY.

SUPREME COURT—GENERAL TERM.—Enumerated motions same as yesterday.

SUPREME COURT—CIRCUIT—Part 1.—Nos. 641, 247, 1457, 1359, 249, 1329, 1309, 381, 1353, 723, 1693, 1429, 511, 329, 1065, 851, 852, 475, 1195, 795. Part 2.—Nos. 356, 1310, 302, 992, 934, 1320, 224, 1600, 884, 552, 756, 463, 950, 1396, 356, 1618, 246, 544, 718, 332, 496.

SUPREME COURT—SPECIAL TERM—Demurrers.—Nos. 8, 24, 38. Issues of Law and Fact.—Nos. 157, 231, 233, 168, 189, 191, 194, 195, 284, 238, 242, 243, 245, 246, 248, 49, 53, 130, 131, 197, 201, 203, 234, 249, 250, 251, 252.

SUPREME COURT—CHAMBERS.—No. 17. Call commences at No. 62.

SUPERIOR COURT—TRIAL TERM—Part 1.—Nos. 3095, 2929, 3111, 3217, 825, 2399, 3089, 3131, 2727, 1755, 3223, 3243, 2637, 3249, 2117. Part 2.—Nos. 3246, 2604, 3034, 3296, 3238, 3210, 3298, 3306, 3320, 1428, 3296, 3212, 3326, 3328, 3330.

Court of Appeals.

ALBANY, N. Y., June 17, 1867.

The following is the day calendar of the Court of Appeals for June 18:—Nos. 125, 140, 142, 148, 149, 150, 150½, 151, 152, 2, 7, 12, 131, 135, 137.

THE PORTER MURDER.

Examination Before Coroner Lynch of Brooklyn—A Probable Clue to the Mystery.

The examination in the supposed murder of James Porter, the collector, whose body was found floating in the East river, at the foot of Conover street, on Wednesday last, was commenced yesterday morning before Coroner Lynch, in his office at the County Court House, Brooklyn.

The first witness examined was Mr. E. L. Hull, druggist, residing at 129 Joralemon street, who testified that he had known James Porter, the deceased, for the past seven years; that he was of temperate habits, intelligent and industrious, and that he last saw him about three weeks ago.

Mrs. Hattie Hayden, the lady who keeps the boarding house No. 231 Henry street, where deceased had boarded for a week previous to his being missed, testified that he came there two weeks ago last Saturday, and that he appeared very regular in his habits; he left the house about seven o'clock on Thursday morning, the 6th inst., after partaking of breakfast; on Wednesday afternoon, about three o'clock, a gentleman called at the house and inquired of witness if Mr. James Porter boarded there, and whether he roomed alone or not; the person who called was about six feet in height, dark complexion, light curly hair, no whiskers, but wore a heavy mustache; he was dressed in a dark colored business coat and light pants. Witness stated that she thought she could identify him if she were to see him again; a gentleman named Mitchell occupied the room with Mr. Porter; on Thursday morning, when Mr. Porter left the house, witness noticed that he wore his watch.

Mr. C. W. Huffington, the lumber merchant in whose employ the deceased had been, was the next witness sworn, and testified that James Porter had been in his employ for about two months; witness had known the deceased for some years past, and had been a member of a debating society to which he belonged; Porter was absent at the war for about a year, and on his return obtained a situation as clerk from a man named Schuyler, lumber merchant, foot of East Thirty-third street, New York; while in the employ of witness he was principally engaged in soliciting and making out orders and collecting; the last time he was seen at the office, witness stated, was on Thursday, the 6th of June, about a quarter to twelve o'clock; he then deposited in the safe $400, which he had collected during the morning; never saw any signs of liquor on deceased; had been warned against Porter by a man named Patrick Cassey, a lumber broker, who said that deceased was addicted to drink; Porter had a silver watch, and always carried a blank book in which he kept his accounts; in conclusion, witness stated that he had been unable to find any further trace of the deceased after his leaving the office at twelve o'clock on Thursday, June 6.

Coroner Lynch then adjourned the inquest until Friday morning, at ten o'clock, at which time he informed the jury he hoped to have an important witness, who was now absent with his vessel, which would arrive by that time.

Roundsman Brumley and officer Layton are still busy in working up the matter, and are of the opinion that they have got pretty near the right scent at last. On Thursday morning, as shown in the testimony, Mr. Porter had been successful in making collections amounting to the sum of four hundred dollars. This amount it is believed he had exposed to an individual with whom he had been seen in conversation during the forenoon of that day. On returning to the office, shortly before twelve o'clock, he made a deposit of the sum collected, charged himself with six dollars, and went out. About three o'clock in the afternoon he was seen near Van Brunt street, South Brooklyn, in company with the same man he had been observed with in the forenoon, which is the latest period to which he has yet been traced alive by the officers. The latter are more hopeful of success of late, and feel confident that Porter was murdered on the supposition that he had in his possession the money collected on Thursday morning.

THE GOLD STREET TRAGEDY.

KINGS COUNTY OYER AND TERMINER.

Trial of Wm. T. Skidmore for the Murder of Wm. B. Carr.

Before Judge Barnard and Justices Hoyt and Voorhees.

The case of William T. Skidmore, indicted for the murder of William B. Carr, who was shot with an air-gun early on the morning of the 21st of May last, near the corner of Gold and Johnson streets, came up for trial yesterday morning in the Brooklyn Court of Oyer and Terminer.

THE TRAGEDY.

It will be remembered that at the above time deceased was walking along Gold street, near the corner of Johnson, when the prisoner, who had been seen by officer Dyer, of the Forty-first precinct, lurking about the place some time previous to the tragedy, discharged an air gun at him, the ball taking effect in the brain. Officer Dyer had not the slightest suspicion that the man would commit such a treacherous and terrible act, and was astounded on hearing the dull report of the piece and seeing the unfortunate Carr fall heavily to the pavement and the prisoner run rapidly from the place. The officer followed in close pursuit, discharged his pistol several times, and chased the fugitive on the post of officer Nash, who succeeded in arresting him at the corner of Prince and Willoughby streets. The air gun was afterwards found. Carr lingered insensible for a few days, when death ensued at the City Hospital, whither he had been removed after being shot. Skidmore was committed by the Coroner to await the action of the Grand Jury, and his indictment followed.

APPEARANCE OF THE PRISONER.

It having been made pretty generally known through the columns of the HERALD, and otherwise, that the trial was set down for yesterday, the court room was crowded with spectators long before the court was opened or Skidmore had been brought from the jail. Shortly after ten o'clock the prisoner entered the court room in charge of a number of police officers, and immediately became the cynosure of all eyes. He appeared wholly indifferent as to what was going on around him and boldly faced the crowd present. Skidmore is a man between thirty-five and thirty-six years old, a little over medium sized, with a somewhat ruddy complexion, dark brown hair and mustache. His face is pock-marked, his appearance is determined, but he is not really such a villanous looking fellow as many who have not seen him believe. His face is not a bad one, but one the like of which can be seen on the streets any day at almost every corner; although his air is that of a bold and callous man. He was connected with the police force for about eleven years, at one time being a Sergeant of the Forty-fourth precinct, and is a house carpenter by trade. His wife died about eighteen months since, leaving five children, the eldest of whom is a girl about fifteen or sixteen years of age.

After conversing with those about him for a few moments, Skidmore turned to the members of the press and expressed the hope that they would give him "a fair show." He alluded to the statements published in the HERALD of yesterday in reference to the death of his wife, and stated that they were entirely correct, with the single exception that he was the party who first applied to the Coroner to have his wife's body disinterred, and not a relative, as set forth in those columns. He also complained of having been harshly treated by the newspapers, in one of which he had been termed a "highwayman."

Shortly before eleven o'clock the court was opened, when District Attorney Morris moved the trial of the indictment against the prisoner.

Judge Barnard—Is the prisoner ready for trial?

Skidmore, who was now before the bar. No, sir.

THE CONFLICT BETWEEN COUNSEL.

At this point Messrs. Jenks and Townsend, who had been employed by the prisoner, came forward, together with Messrs. Pearsall and Hughes, the regularly assigned counsel by the Court. The former gentleman, it appeared, had been retained subsequent to the assignment of the latter by the prisoner, who, it will be remembered, refused to consult with Messrs. Pearsall and Hughes.

Mr. Jenks—If the District Attorney move for trial we are here to make application for the postponement of the case.

District Attorney Morris—We are ready to hear the application.

Mr. Jenks thereupon arose and entered into an explanation as to his connection with the case. Mr. Townsend and himself had offered their services to the prisoner with no intention of discourtesy to the courageous gentlemen who had been assigned by the court. On the morning of Wednesday last the court had been kind enough to accede to the wishes of the prisoner to appoint him (Mr. Jenks) and give him a day to determine as to whether he could undertake the case or not. He availed himself of the permission of the court and endeavored to associate with himself some gentleman, as he would not be able to conduct the case alone. Not being able to then see Mr. Townsend, Mr. Jenks visited the jail and had a consultation with Skidmore, and left him with the understanding that his friends should call at his (Mr. J.'s) office, on the following morning at nine o'clock, in order to consult as to employing a counsel to assist him. They did not go to his office, however, and he waited until ten o'clock, when he appeared before his Honor, stating that he would be unable to undertake the case. With this understanding, the Court appointed Messrs. Pearsall and Hughes, to whom all honor should be given. Mr. Jenks said he had only acted in accordance with promises previously made to the prisoner. The friends of the latter, however, had subsequently desired him to undertake the case, and he conferred with them again. He sent for Mr. Townsend, who consented to assist in the case, and went to see the prisoner on Thursday. On the following day, Mr. Jenks said, he notified Messrs. Pearsall and Hughes, and requested their assistance, and they had not given him an answer. He did not at all intend to obtrude in a case against counsel who were courageous enough to accept the burden, and if Skidmore desired Messrs. Pearsall and Hughes to defend him he had no objection. Although the prisoner had been assigned counsel by the Court Mr. Jenks thought that Skidmore had a right to choose whom he desired. These statements were made in all honesty and fairness, and Mr. Jenks intended no discourtesy whatever to the counsel who had been assigned to defend the prisoner by taking the course that he did.

Mr. Hughes stepped forward and said that he was prepared to defend, and had received no intimation of Skidmore's intentions.

Judge Barnard remarked that he would never in the world assent to the proposition that the prisoner had not a perfect right to choose his own counsel. He would listen also to any motion to postpone.

Mr. Morris said he desired to be heard in the matter. He had affidavits he desired to read. Mr. Jenks said he was not prepared to make a motion until he was recognized as counsel, to which Judge Barnard replied that any application through him would be listened to. His Honor would look to Mr. Jenks as the sole counsel of the prisoner, as far as the motion was concerned.

On being then asked as to whom he desired as counsel Skidmore replied, "I wish you to act as counsel," speaking to Mr. Jenks. The latter thereupon applied for time to consult with Skidmore privately, and Mr. Morris was about directing the officers to guard the prisoner during the interview, when he was interrupted by Mr. Jenks, saying, "the Court directs the officers." (Laughter.) Mr. Morris made some reply in a low tone, the exclamation "bully" being heard, and added that Mr. Jenks was commencing with insults, but would end far differently.

APPLICATION FOR POSTPONEMENT.

Counsel and prisoner remained closeted for a short time only, and on their return Mr. Jenks made application for a postponement of the case, and read an affidavit, sworn to by himself, which stated that in his opinion it would be impossible to prepare a defence at the present term. Mr. Townsend also read an affidavit, sworn to by himself, setting forth that such facts had been disclosed to him by the prisoner as to render a postponement necessary, so that important witnesses could be secured. Mr. Morris replied by reading the affidavits of Constable George Colgan, Thomas Cassidy, keeper of the jail, and others, stating that Messrs. Jenks and Townsend had refused to undertake the case, and on the same day Mr. T. called at the jail and said he was going to undertake it, because there was money in it now. The affidavit of Mr. Powers, of the District Attorney's office, was also read, setting forth that a list of witnesses furnished by Skidmore had been all subpœnaed. Mr. Morris read his own affidavit in reference to the proceedings which have already taken place, &c., and that of Mr. Hughes with Mr. Townsend's statement in regard to the money he had received, and that he did not care who defended Skidmore. Mr. Jenks read the affidavit of Skidmore himself, stating that the latter had furnished the list of witnesses to Powers, upon his representations that there was no earthly hope for a postponement of the case and that he had never given the list to counsel. Mr. Townsend argued in favor of the application for postponement, and quoted numerous authorities on the point.

ARGUMENT OF DISTRICT ATTORNEY MORRIS.

District Attorney Morris arose, and in a lengthy speech argued in opposition to the granting of the application. The prisoner had neglected full opportunities for his defence, and Mr. Morris apprehended that the Court would not exercise its discretion as against the people by granting a postponement of this case. The Court would excuse him if he talked a little plainly, for he thought that either in court or elsewhere things should be called by their right names. He did not believe that his Honor could call to recollection any circumstances or case where counsel have pursued the extraordinary, incomprehensible course that has been pursued by counsel in this case. It was strange, most passing strange, that the counsel assigned by the Court should take twenty-four hours to deliberate upon the question as to whether they would accept the appointment or not, and after conferring with their client, announcing publicly that they would not take the defence, and come into court the next morning saying that they declined the appointment the Court had given them. Then when the Court in their hearing appointed respectable and reputable counsel, perfectly willing and competent to assume the defence of the prisoner, and the Court set the case down for trial this day positively, intimating to counsel that they must be ready, they (Jenks and Townsend) immediately proceeded to the jail for the purpose of having an interview with Skidmore as counsel. Mr. Morris was surprised that Mr. Jenks should assume such a course. Why was it that the prisoner took the course he did with reference to the counsel assigned by the Court? He had not expressed his dissatisfaction at having them, and had only said that "he couldn't be tried on Monday, and would not be tried on Monday." Mr. Morris would leave it to the assigned counsel to state the interview between him and Mr. Jenks, if it were not apparent that the only object in securing a postponement was that a larger fee should be made up, so that they might defend him. The speaker felt it his duty to notify the prisoner that it was his intention to urge the trial on this day, and not to be deceived by what any party might have told him to prevent his (Skidmore's) preparing for the defence. The prisoner sent him a list of twenty witnesses to subpœna, and they were all present in court with one exception. What right, then, had the prisoner been denied? If the case could be put off under such circumstances, it could be again put off. Where was the evidence of good faith on the part of the counsel selected by the prisoner? Why, the English language was not adequate to characterize such a transaction as theirs. Mr. Morris thought he was justified in stating that he believed that the affidavits on the other side were made merely to enable counsel or parties to make up a fee. Why, it would have been better that his Honor, on the first day the prisoner had been brought into court, had made an order that the county pay counsel so much for their services. He was justified in making these remarks from the facts that had been disclosed in this case, and that averred here, upon the facts as presented now to the court, that this application was not made in good faith, and that the sole and only purpose is to delay this case, when the prisoner was here with the counsel assigned who had faithfully prepared the case, and with every witness subpœnaed that he requested to be subpœnaed, with one exception.

Mr. Townsend replied to the District Attorney's remarks, briefly asserting that they had acted in good faith. There were things which the English language could not sufficiently characterize, one of which was the course of the District Attorney in his remarks. The only question that had been raised in this case by the District Attorney was simply this:—"Did Mr. Townsend receive any money:" and if it were any gratification to him he would tell him that Mr. Townsend did. Some further discussion ensued, during which Mr. Jenks said that unless this application had been made in good faith he had perjured himself. With regard to the imputation of his desire to obtain fee, he would say that he had defended every capital case in the county during the past five years, and had not received a cent therefor. Neither had he in this case.

THE APPLICATION DENIED.

Judge Barnard, after consulting with the side justices—The court holds this application not sufficient. The prisoner will have to go to trial.

Mr. Jenks asked a postponement until to-day, which was denied. A short time, however, was allowed counsel to prepare another application, and on their return Mr. Jenks read another affidavit made by Skidmore, stating that two witnesses were absent by whom they intended to prove facts in connection with the air-gun. Mr. Morris said he would admit all those facts. Some further argument ensued, when the Court refused to postpone the case.

THE ENTIRE PANEL OF JURORS CHALLENGED.

Messrs. Pearsall and Hughes then made a statement of their connection with the case on withdrawing. The Court approved of their withdrawal. Mr. Stevens, the clerk, then proceeded to call a jury, when Mr. Jenks challenged the entire panel of two hundred and fifty jurors on the following:—

Supreme Court, Court of Oyer and Terminer, held in and for the county of Kings, this 17th day of June, 1867. Present Hon. J. Barnard, Justice. The people of the State of New York against William T. Skidmore. And now on the 17th day of June, 1867, came the people, by their District Attorney, and the prisoner by his counsel; and the said prisoner, by his counsel, interposes his challenge to the array of jurors empannelled at this term of this Court, and prays that the same panel be quashed, because he says:—The said jurors were drawn after the commencement of the term of this Court, and after the holding thereof had commenced. Second, That a large number of said jurors are aliens, and cannot legally be drawn and empanelled upon a jury to try this indictment. Third. That said jurors were not drawn in presence of the officers designated by law to be present at the drawing thereof. Fourth, That some of said jurors were not drawn in presence of said officers. Fifth, That in the drawing and selection of the jurors returned upon said panel the requirements of the statute in that respect made and provided have not been complied with.

JOHN D. TOWNSEND, G. J. JENKS, Counsel.

City of Brooklyn and Kings county.—William T. Skidmore, being duly sworn, says that the facts set forth in the above challenge are true to the best of his knowledge and belief.

WILLIAM T. SKIDMORE.

Mr. Morris demurred as follows:—

Samuel D. Morris, the District Attorney, who prosecutes for the people, having heard the said challenge read, says that so far as the second, third, fourth and fifth grounds of challenge set forth therein, he denies the same; and that so far as the first ground of challenge therein contained, he says that there is nothing therein stated sufficient in law to affect the legality of said panel, which he is ready to verify.

S. D. MORRIS.

Mr. Jenks called Mr. Nelson Shaurman, Commissioner of Jurors, and on the issue examined him as follows:—

Nelson Shaurman, Commissioner of Jurors, sworn—I hold in my hand a list of the jurors called in the present panel; those names were drawn on the 12th day of June; when the box was first opened Justice Voorhees and Hoyt and myself were present; such drawing continued for nearly two hours, and I was present during the whole time; no names on this list were drawn on the following day; the names were all drawn, seriatim, continuously from the box; I was alongside of the box; in the first place, when the Justices and myself meet to draw the names, I show them the box, to see that the seal was perfect; we commence from No. 1 until the box is exhausted; Voorhees drew the ballots, calling the name and number, which I "tally" in the check book, &c.; my clerk takes it from Justice Voorhees and checks it, and then hands it again to Justice Voorhees, who arranges them in order on a table; no Justice of the Supreme Court, no judge of the City Court or county judge was present; I could swear positively, to the best of my recollection, that Justices Hoyt and Voorhees were not absent at all during the time.

Justice Hoyt was called from the bench, and testified that he was present during the drawing, and did not leave the room.

THE DEMURRER WELL TAKEN—EMPANELLING A JURY.

An argument ensued between counsel, and Judge Barnard finally declared the demurrer well taken. His rulings throughout were excepted to, exceptions being noted. Mr. Townsend's point was that the laws of 1858 provided that jurors should be drawn fourteen days previous to the meeting of the court, in presence of a justice of the Supreme Court, the Judge of the City Court, the Judge of the County Court, &c. Assistant District Attorney Troy referred to the case of the People vs. Kenney, tried in Kings county and carried to the Court of Appeals, where it was settled that the Court had a right to order a panel of jurors after the beginning of a term.

Judge Barnard desired the clerk to proceed to the empanelment of a jury. The following parties were called up and questioned by counsel on either side:—

Wm. T. Macy has conscientious scruples in reference to capital punishment; rejected. A. C. Angell has an impression in his mind which the evidence could not remove; rejected. Israel A. Barker has formed an opinion as to the guilt or innocence of the prisoner; rejected. C. H. Dubois has read of the case, and has formed and expressed an opinion in regard to the guilt or innocence of the prisoner; rejected. Thomas Keachy has conversed about the facts of the case, but has no fixed opinion as to the guilt or innocence of the prisoner; has a present impression, but could render a fair verdict on the evidence; would take evidence to remove the impression; rejected. M. C. Warren has no conscientious scruples, but has formed an opinion and has it at present; rejected. Claus Laus did not sufficiently understand the English language; excused. Wm. Johnson has not read or heard anything of the case before the present time; has formed no opinion since he has been here; challenged peremptorily by defence. J. T. Dill has not formed or expressed an opinion; is able to render a fair verdict; accepted and sworn in. James Cornwallis is opposed to capital punishment; rejected. Wm. Bush has formed an opinion; rejected. John Tyler could render a fair verdict; accepted and sworn in. Charles Hughes had conscientious scruples; rejected. J. W. Moseley has no conscientious scruples or opinion; no impression on his mind as to the case; accepted and sworn in. J. C. Larwell has an opinion; rejected. S. Abrams has no impression; challenged peremptorily by defence. C. L. North has an opinion; rejected. L. Spring has an impression which would require evidence to remove; rejected. Several other parties were called up, and finally a fourth juror was obtained in the person of Mr. Cornelius Ferguson.

The court then adjourned at half-past five o'clock, until to day at ten A. M., having been in continuous session nearly seven hours. The utmost excitement prevailed in the courtroom during the day, and the crowd was so great that there was little space left even behind the railing. On being conducted from the Court House Skidmore stopped to light a cigar, and afterwards walked very coolly away in the charge of the officers, followed by a large crowd of curious people.

MURDER IN ALABAMA.

SPECIAL TELEGRAM TO THE HERALD.

The Murder of Webb, the Colored Register—Excitement Among the Negroes—Escape of the Murderer—Reward for His Arrest.

MONTGOMERY, Ala., June 7, 1867, 2 o'Clock P. M.

Accounts received by General Swayne show that the murder of Alexander Webb, the colored register for Hale and Green counties, was unprovoked and cold-blooded. Webb had left his shop at about sunset, and, when on his way home, met John Orrick. Webb raised his hat, and, after passing, was called by the other, and as he turned round Orrick fired three shots at him, killing him instantly. The murderer's accomplices aided in making good his escape. The Intendant and Sheriff of Greensboro, soon after the committal of the deed, collected fifty persons, white and black, and posted them around the town for the purpose of capturing Orrick, but were not successful in so doing. At last accounts great excitement existed among the blacks, who made threats of vengeance, but were prevailed upon by the Intendant, Sheriff and others from committing any excesses. The affair is greatly regretted by all good citizens. A detachment of infantry was sent from Selma yesterday to Greensboro. The Governor has offered a reward for the capture of Orrick.

INTERNAL REVENUE.

Seizure of Two More Illicit Distilleries.

Notwithstanding the fact that seizures are daily made of illicit distilleries in this city and its surroundings, the contraband business is being prosecuted with vigor, and almost every issue of the HERALD records the unearthing of one or more of these places by the revenue officers and the confiscation of the property found therein.

Yesterday special revenue inspectors Bendix and Ricker discovered an illicit still in operation in the cellar of the house in the rear of No. 169 Essex street. The apparatus was in complete order, and had evidently been very lately worked in the manufacture of whiskey. The premises are said to be owned by Samuel Levy. The officers immediately took charge of the property, and are holding it for confiscation subject to the order of the United States Court.

The same officers also discovered that illicit distillation of whiskey was being prosecuted in the cellar of No. 22 Stanton street, and made seizure of the property accordingly. Besides the still and other apparatus, four barrels of molasses rum were found on the premises and taken charge of. The entire property will be confiscated for an attempt on the part of the owner or owners to evade the revenue law. As yet no one has appeared to claim the ownership or to contest the proceedings for confiscation.

POLICE INTELLIGENCE.

THE ALLEGED INCENDIARY FIRE IN HARRISON STREET.—The examination in the case of William H. Horton, charged with arson in setting fire to his cotton warehouse, No. 50 Harrison street, on the evening of the 23d ultimo, as previously reported, was to have been examined yesterday morning before Justice Hogan, at the Tombs, but Mr. John Sedgwick, counsel for the defendant, concluded to waive any further examination and consented that the papers should be laid before the Grand Jury for their action. This course was accordingly pursued. Mr. Horton is still under bail in the sum of $5,000 for his future appearance when called upon. He is only twenty-one years of age, a native of New York and a resident of this city. He gives his business as warehouseman, and in relation to the charge against him says he is not guilty.

ATTEMPT TO ROB AN OFFICER.—Two men, nineteen and twenty-five years of age, named William Harrison and Joseph Hines, were yesterday brought before Justice Hogan by officer Hough, of the Fourth precinct, on the charge of an attempt at robbery. The officer deposed that at about half-past two o'clock on Sunday morning he saw the prisoners and another man who is unknown sitting on a stoop in South street, near Roosevelt, and as he approached they started to run away and he ordered them to stop. They kept on and he followed in pursuit, and on coming up to Harrison the latter, as charged, attempted to steal the officer's gold watch and chain worth $165, but failed. At the same time Harrison dropped on the pavement a gold watch for which he could give no satisfactory account, and consequently it is supposed to have been stolen. The magistrate committed the accused to prison for trial. Both of them deny their guilt.

A SON ARRESTED FOR ROBBING HIS FATHER.—Officer Ryan, of the First precinct, yesterday arrested John Gilbert Kearney, a young man twenty-three years of age, on the charge of having stolen $920 in cash and a gold watch worth $75 from his father, Mr. John Kearney, living at No. 4 Morris street, Jersey City. The money and watch, it is alleged, were taken from a trunk in Mr. Kearney's house on Tuesday last, after which it is alleged the accused brought his booty to this city. None of the property has been recovered. Young Kearney at first refused to accompany the officer back to New Jersey without a requisition, but subsequently changed his mind and said he would go, whereupon all the parties interested left the court.

ASSAULT WITH A STONE.—Quite an excitement was created at the corner of Leonard and Centre streets about twelve o'clock yesterday morning, in consequence of a collision between a bowlegged negro named George Williams and Edward Moran, a white man, living at No. 73 Mulberry street. It appears from the statement of a gentleman who witnessed the affair that Moran, while intoxicated, assaulted a negro, and immediately afterwards made a rush at Williams, and at about the same moment both of them picked up cobble stones to hurl at each other. Williams, being the quickest, struck Moran on the head with a stone weighing three pounds, knocking him insensible to the pavement. Officer Lobey, of the Sixth precinct, arrested Williams, and Justice Hogan committed him for examination. Moran was sent to a doctor's to have his head dressed.

THE STUYVESANT LIBEL CASE.—The examination in the libel case of Mrs. Catharine L. Stuyvesant against the New York News Company, which was named for four o'clock yesterday afternoon, before Justice Hogan, did not take place, in consequence of the illness of Mr. Fullerton, the counsel for the defendant. The case stands adjourned till next Thursday afternoon at the same hour.

LARCENY OF A GOLD WATCH.—Eliza J. Beeny, of 185 East Twenty-third street, appeared before Justice Ledwith yesterday, and charged William Henry Bradon with having stolen a gold watch and chain valued at $48. The property, it is alleged, was lying on the mantel piece in complainant's apartment, from which place the accused took it and afterwards sold it to a man in Division street. The accused acknowledged he committed the theft. He was committed, in default of $500, to answer the charge.

ALLEGED FELONIOUS ASSAULT.—A man named Thomas Kealy was arrested by an officer of the Sixteenth precinct and brought before Justice Ledwith yesterday, on a charge of alleged felonious assault. The officer states that while on his beat, in Twenty-seventh street, early yesterday morning, his attention was attracted by the sounds of pistol shots. On arriving at the place whence they proceeded, he found a man, who gave his name as John Murray, on the ground, suffering from stabs which he had received in the face and breast. Murray made a complaint, which led to the arrest of the accused, and the wounded man was then brought to the Jews' Hospital, where his injuries were duly attended. His wounds, however, are not dangerous. The Justice, on hearing the complaint, committed the accused to answer in the sum of $2,500 bail.

ALLEGED EMBEZZLEMENT.—A complaint was made yesterday, before Justice Dodge, by Alfred Jacoutot, No. 56 Cedar street, against a young man named Frederick Emile Roux, for an alleged embezzlement. It is charged that Roux was employed in the capacity of clerk, and as such had charge of the money and cash accounts of complainant's business. Some time since, upon examination of the books, it was discovered that during the months of March and April the sum of $1,100 had been embezzled from the complainant. Latterly, however, Roux has not been in the employment of Mr. Jacoutot, and it is averred that he has written a letter, in which he admits having embezzled the money. On his arraignment yesterday he pleaded not guilty to the charge. He was committed in default of $1,500 bail.

BURGLARY.—Francis Keckhæsen, of No. 198 Third street, appeared before Justice Mansfield yesterday and preferred a charge against William Jocher, whom he accuses of having entered his premises by means of false keys and stolen various articles, amounting in value to $17 70. Complainant's son, as alleged, was attracted by the fall of some heavy substance in the store, and in ascertaining the cause, discovered Jocher, whom he seized, and found upon his person the articles mentioned in the complaint. Some burglarious looking instruments were also found in possession of the prisoner. He was given in charge of an officer and yesterday pleaded guilty to the charge. He was committed in default of $2,000 bail.

WESTCHESTER INTELLIGENCE.

COMPLETION OF THE FIRST SECTION OF CENTRAL AVENUE.—The first section of Central avenue, from Central Bridge to Wolf Brook, a distance of about one and a half mile, has been completed, and the contractor's report of the same accepted by the Commissioners. At a meeting of the latter, held recently, a resolution was unanimously adopted setting forth their appreciation of Mr. Leonard W. Jerome's liberality in carrying out the terms of his contract. This avenue, intended to run from Central Bridge to Woodlawn and thence to White Plains, will, when completed, add another magnificent suburban drive. It is stated that the Spuyten Duyvil and Port Morris Railroad Company are making preparations to construct a new road, which is to run across and along a portion of Central avenue at the terminus of the bridge, a circumstance which, if permitted to be carried out, would no doubt materially interfere with the present excellent condition of this elegant drive.

GASWORK EXPLOSION AND ACCIDENT AT WEST MORRISANIA.—Shortly after one o'clock yesterday afternoon the gasometer of the private works attached to the premises of Thomas M. McMahan, at West Morrisania, exploded and caused considerable damage to the building, besides seriously injuring the man who had charge of the works. The roof was blown about ten inches high, and becoming ignited was consumed before the fire department could interfere. The loss is estimated to be little short of $1,000.

OPENING OF SCHOOL NO. 5, EAST MORRISANIA.—Yesterday afternoon the opening of Primary School No. 5, at East Morrisania, took place in the usual manner. The scholars acquitted themselves to the entire satisfaction of quite a number of ladies and gentlemen who were in attendance. Among those who manifested a particular interest were Mr. Commissioner F. W. Gilley, of the First Assembly district, and Messrs. Burnett, Cauldwell, Stillman and others, of the Board of Education. Refreshments were courteously provided for the children and visitors by a gentleman named Brugman, residing in the vicinity.

COMMITTAL OF THE PRISONER HAMPSON.—The prisoner Edward Hampson, on being brought before Justice Lent, at the Police Court, Tremont, yesterday morning, waived an examination and was fully committed for trial. He was subsequently conveyed to White Plains and confined in the county jail to await the action of the Grand Jury at its next session. Although a man of common appearance, Hampson shows little outward sign of his possessing sufficient nerve to perpetrate the crime with which he stands charged.

THE PROPOSED INTRODUCTION OF GAS AT TREMONT.—In accordance with a call issued some short time since, a meeting of the town officers of West Tremont was held yesterday for the purpose of taking action in relation to the proposed introduction of gas in the village of Tremont. One of the committee, charged with obtaining the necessary amount of signatures, stated that the petition was not fully prepared for presentation, and requested that the meeting be adjourned until next Tuesday. The request was granted.

PERSONAL INTELLIGENCE.

Dr. Martinez del Rio, of Mexico; Jos. Glenn, of Cincinnati; Thomas G. Welles, of Washington, and George A. Bigelow, of Chicago, are stopping at the Hoffman House.

Dr. George Graff, of Omaha, and W. Brown, of Cork, Ireland, are stopping at the Fifth Avenue Hotel.

Baron Osten Sacken, of New York, and Henry Dunlop, of New Brunswick, are stopping at the Clarendon Hotel.

T. T. Stewart, of Washington, and J. Sensendorf, of Colorado, are stopping at the St. Denis Hotel.

Captain Colton, of Charleston, is stopping at the St. Julien Hotel.

Colonel Royal, of the United States Army; Stillman Witt, of Cleveland; J. E. Messmore, of Washington; General H. F. Sweitzer, of Ohio, and S. F. Van Schult, of Boston, are stopping at the Metropolitan Hotel.

Commodore Davenport, of Washington; Dr. W. B. Fletcher, of Indianapolis, and J. J. Stanton, of Washington, are stopping at the Astor House.

J. B. Ross, of Georgia, is stopping at the St. Nicholas Hotel.